



DECLARATION FOR PLANT PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

Blackberry Plant Named 'SONOMA'

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on January 29, 2001 as Application No. 09/772,330 (for declaration not accompanying application) with amendment(s) filed on (if applicable)

I hereby state that I have asexually reproduced the plant that is the subject of the above-identified application.

☐ said plant was found in a cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|-------------|
| | |
| | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|---|-------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| | | | | |
| | | | | |

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|---|---|
| SEND CORRESPONDENCE TO: PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, New York 10036-2711 PTO Customer No. 20583 | DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING 212-790-2803 |
|---|---|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | | |
|-------------|--|---------------------------------|--|----------------------------------|-------------------|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME Fear | FIRST NAME Carlos | MIDDLE NAME D. | |
| | RESIDENCE & CITIZENSHIP | CITY Aptos | STATE OR FOREIGN COUNTRY California | COUNTRY OF CITIZENSHIP U.S.A. | |
| | POST OFFICE ADDRESS | STREET 49 Pebble Beach Drive | CITY Aptos | STATE OR COUNTRY U.S.A. | ZIP CODE 95003 |
| | SIGNATURE OF INVENTOR 201 <i>Carlos D. Fear</i> | | | DATE <i>August 15, 2002</i> | |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 202 | | | DATE | |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 203 | | | DATE | |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 204 | | | DATE | |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Santa Cruz

SS.

On August 15, 2003, before me, Cynthia L. Mathiesen, Notary Public

Date

Name and Title of Officer (e.g., Jane Doe, Notary Public)

personally appeared Carlos D. Fear

Name(s) of Signer(s)

☒ personally known to me
~~proved to me on the basis of satisfactory evidence~~



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Cynthia L. Mathiesen

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Declaration for Plant Patent Application

Document Date: August 15, 2003

Number of Pages: 2

Signer(s) Other Than Named Above: -None-

Capacity(ies) Claimed by Signer

Signer's Name: Carlos D. Fear

Individual

Corporate Officer — Title(s): _____

Partner — Limited General

Attorney in Fact

Trustee

Guardian or Conservator

☒ Other: Inventor

Signer Is Representing: Driscoll Strawberry Associates, Inc.

RIGHT THUMBPRINT
OF SIGNER